

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 15142 of 2003

Between:

- 1 K.Balakrishna Pillai s/o.K.Siddalinga Pillai
Occ:Paid Secretary, Guntipalli Primary Agricultural Coop.
Society,Guntipalli Village & Penumoor Mandal, Chittoor District.
- 2 K.Krishna Reddy s/o. K.Gangi Reddy
Guntipalli Primary Agricultural Coop. Society, Guntipalli Village & Penumoor
Mandal, Chittoor District.
- 3 K.Jagannadham s/o. Ramaiah

..... PETITIONERS

AND

- 1 The Govt. of A.P., Cooperative Department,rep.by Secretary
Secretariat, Hyderabad
- 2 The Commissioner for Cooperation & Registrar of Coop.Societies, Hyderabad
- 3 The Dist.Cooperative officer, Chittoor District.
- 4 Guntipalli Primary Agricultural Coop. Society, rep.b y its person in Charge,
Guntipalli village, & Penumoor Mandal Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ order or direction particularly one in the nature of Mandamus declaring the action of the respondents in reducing our pay scales drastically in violation of principles of natural justice and inaction in paying any salary as arbitrary, illegal and offending Art 14, 21 & 23 of Constitution of India consequently direct payment of salary and allowances without any revision by reduction and pass such

other relief or relief's as this Hon'ble court deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.D.PURNACHANDRA REDDY

Counsel for the Respondent No.1 to 3: G.P. for CO-OPERATION

Counsel for the Respondent No.4: ---

The Court made the following :

:ORAL ORDER:

The petitioners are employees of 4th respondent – Primary Agricultural Co-operative Society (for short PACS). Their grievance is that their salaries are not being paid by the 4th respondent -- (PACS) since March, 2003 on account of the provisions of Section 116-C of the A.P. Co-operative Societies Act, 1964 (for short 'the Act'). They admit that the 4th respondent (PACS) does not have enough financial ability to pay salaries to them within the financial discipline enjoined by the provisions of Section 116-C of the Act. The petitioners neither plead nor establish that the 4th respondent is a State within the meaning of Article 12 of the Constitution of India or that the State Government has any liability for the payment of their salaries.

In the above circumstances, the writ petition itself is not maintainable nor could any relief be granted to the petitioners herein. The writ petition is, accordingly, dismissed. The petitioners are, however, at liberty to pursue appropriate alternative remedy in accordance with law. No costs.

GODA RAGHURAM, J

Dt. 27-07-2004

Pvks/*

To

- 1 The Secretary, the Govt. of A.P., Cooperative Department,
Secretariat, Hyderabad
 - 2 The Commissioner for Cooperation & Registrar of Coop.Societies,
Hyderabad
 - 3 The Dist.Cooperative officer, Chittoor District.
 - 4 The person in Charge, Guntipalli Primary Agricultural Coop. Society,
Guntipalli village, & Penumoor Mandal Chittoor District.
- 5.2CCs to the Government Pleader for Co-operation, A.P. High Court Buildings,
Hyderabad (OUT).
- 6.2CD copies